2004 2005

Saskatchewan Human Rights Commission

ANNUAL REPORT

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Letter of Transmittal

105-06541/

June 30, 2005

The Honourable Frank Quennell, Q.C.
Minister of Justice
Legislative Building
Regina, Saskatchewan
S4S 0B3

Dear Minister Quennell,

In accordance with section 49 of *The Saskatchewan Human Rights Code*, it is my privilege to submit to you the 2004-2005 annual report of the Saskatchewan Human Rights Commission.

This report reflects the activities of the Commission from April 1, 2004 to March 31, 2005.

Sincerely,

Donna Scott

Donna Scott, Q.C.
Chief Commissioner

Chief Commissioner's Message

The year 2005 marks the 100th anniversary of Saskatchewan's status as a province. In recent days, a great deal of attention has been paid to our history, culture and traditions. It seems appropriate, then, for we at the Commission to look back at the role of human rights in the development and transformation of our province.

Saskatchewan's strong tradition of protecting human rights developed within a national and international context. In response to the tragic lessons learned from World War II, nations of the world came together to establish common principles for protecting the rights of "all members of the human family" and adopted the Universal Declaration of Human Rights in 1948. One year earlier, Saskatchewan began its tradition of protecting human rights by passing the first general human rights legislation in North America, *The Saskatchewan Bill of Rights Act, 1947*. It proclaimed the fundamental freedoms of every individual, such as freedom of expression, association and religion.

In the 1950s, Saskatchewan expanded equality rights in important ways. *The Equal Pay Act, 1952* prohibited employers from paying women less than men for comparable work in the same establishment. *The Fair Employment Practices Act* and *The Fair Accommodation Practices Act* expanded the prohibitions against discrimination in employment and accommodation contained in the *Bill of Rights*.

In 1972, Saskatchewan took a further step in the protection of rights by establishing the Human Rights Commission. The Commission was given the responsibility of administering Saskatchewan's anti-discrimination laws and promoting the principle of equality through public education. In that year, sex was added as a prohibited ground of discrimination in the *Bill of Rights* and in other fair practices legislation.

The Saskatchewan Human Rights Code came into effect in 1979. It amalgamated and improved upon the human rights statutes passed since 1947. At that time, the *Code* prohibited discrimination on the basis of a number of specified grounds: race, creed, religion, colour, sex, marital status, physical disability, age, nationality, ancestry and place of origin. It governs relationships between people in important public areas of life, such as education, employment, trade unions and professional associations, public contracts, purchase of property, rental accommodation and public services. The *Code* also contains protection from the distribution of hate literature.

Since 1979, additional grounds have been added to the *Code*, including mental disability in 1989, and sexual orientation, family status and receipt of public assistance in 1993.

Chief Commissioner's Message

Human rights in Saskatchewan have also been affected by constitutional change—in 1982, with the passage of the *Canadian Charter of Rights and Freedoms*, and in 1985 with the proclamation of section 15, the equality rights provision of the *Charter*.

Saskatchewan joined the world in commemorating the 50th anniversary of the *Universal Declaration* in 1998. And while the 50th anniversary was an occasion for recognizing progress and achievement, it was also a reminder of what is not yet done.

For example, in Saskatchewan we do not have adequate protection from discrimination against the poor. People who live in poverty are subject to widespread systemic discrimination, through the denial of housing and access to services and employment. They are marginalized to the point of invisibility.[1]

And, the reports of the Stonechild inquiry and the Commission on First Nations and Métis Peoples and Justice Reform, both released this year, demonstrate that systemic racism against our Aboriginal peoples continues to plague our province.

Perhaps one legacy of this, our centennial year, should be a renewed commitment by the province of Saskatchewan to leadership in the area of human rights.

"From many peoples, strength"

Saskatchewan's motto

Donna Scott

Donna Scott, Q.C.
Chief Commissioner

[1] Canadian Bar Association, B.C. Branch, Human Rights Working Group; Ontario Human Rights Commission Research Paper, *Human Rights Commissions and Economic and Social Rights*, April 2000.

"...as long as the sun shines, the grass grows
and the waters flow..."

from the Treaties

Current Issues and Highlights

NEW COMMISSIONER WELCOMED

Ms. Judy White was welcomed as a new Commissioner at the beginning of February 2005. Ms. White is an Assistant Professor with the Faculty of Social Work at the University of Regina's Saskatoon campus and Counselor with Family Service Saskatoon. She is actively involved in collaborative work with immigrant and refugee serving organizations, including the Saskatoon Chapter of Immigrant Women of Saskatchewan, and as a member of the Board of Governors of the Prairie Centre of Excellence for Research on Immigration and Integration.

PAY EQUITY

During 2004-2005, the Commission had more than 200 pay equity complaints in its system, a large number of which were dismissed by the Chief Commissioner on the basis that they do not fall within the jurisdiction of *The Saskatchewan Human Rights Code*.

The *Code* prohibits discrimination on the basis of a prohibited ground, which includes gender, with respect to the terms and conditions of employment, which includes wages. The Commission takes the view that a violation of the *Code* may occur in situations where it can be established that a female-dominated position is paid at a wage rate less than a male-dominated position, if the work performed in the female-dominated position is obviously and clearly on the facts, of equal value to or greater value than, the work performed in the position dominated by men. To that very limited extent, the Commission takes the position that it has authority to determine complaints of wage discrimination.

"We are all treaty people"

Honourable Judge David Arnot

Most of the complaints brought to the Commission in recent years invited the Commission to go beyond its limited legislative authority.

Some jurisdictions have established, through pay equity legislation, regulatory schemes for assigning value to various jobs and requiring non-discriminatory pay scales for jobs that are equivalent in value. *The Saskatchewan Human Rights Code* establishes no basis upon which to determine the value of various jobs.

The Commission recognizes that pay equity is crucial to women achieving equality. In its Code Review Report, *Renewing the Vision*, the Commission recommended that comprehensive, proactive pay equity legislation be enacted in Saskatchewan. It recommended that a separate, specialized agency — a pay equity commission — be responsible for administering pay equity legislation in Saskatchewan.

Current Issues and Highlights

MANDATORY RETIREMENT

Mandatory retirement is the subject of much discussion and debate across Canada at this time.

Older persons are vulnerable to age discrimination in all of the areas covered by the *Code*. In employment, they may be discriminated against through the imposition of mandatory retirement. They are subject to negative stereotypes about the abilities and performance of older workers. In the late 1980s and early 1990s, the Supreme Court of Canada upheld restrictive definitions of age in human rights statutes with regard to mandatory retirement. More recent Supreme Court decisions have held that employers, educational institutions and public services must accommodate individual needs unless it would be impossible to do so without undue hardship. The British Columbia Court of Appeal held that mandatory retirement by public bodies violated section 15 of the *Charter*, and had to be justified on a case by case basis: *Greater Vancouver Regional District Employees' Union v. Greater Vancouver Regional District (2001)*. Most recently, the Supreme Court held that statutory bodies can interpret their governing legislation and "read out" provisions that are contrary to the *Charter*: *Martin v. Workers' Compensation Board (2003)*.

The Commission has accepted five complaints of age discrimination based on mandatory retirement. The first case was referred to the Saskatchewan Human Rights Tribunal to determine whether it has jurisdiction to hear the matter in light of the age restrictions within the *Code*. On February 10, 2005, the Tribunal decided that it does have jurisdiction. The Tribunal will now proceed to hear the facts of this particular case. Leave has been granted to the Attorney General to intervene.

The Commission urges the Government of Saskatchewan to repeal the age restriction within the *Code*, to protect both youth and older persons from discrimination based on age.

NORTHERN OUTREACH AND ABORIGINAL HUMAN RIGHTS

The Commission continued its outreach activities to northern residents and the Aboriginal community during 2004-2005. The Commission completed the initial pilot phase of its Accessing Human Rights project with the Aboriginal Friendship Centres of Saskatchewan (AFCS) during the fall of 2004 and winter of 2005. The pilot project consisted of two training components: 1) general human rights education training provided to staff and board members at the Friendship Centres in Saskatoon, Fort Qu'Appelle and La Ronge; and 2) one technical training session delivered in Saskatoon for designated staff members

from the three centres on complaint processing. After a period of review, it is expected that the same general and technical training components will be offered at all Aboriginal Friendship Centres in the province.

The Commission also partnered with Saskatchewan Justice and the northern advocacy group New North to provide human rights awareness training to the Community Police Boards in Stony Rapids, La Ronge, La Loche and Prince Albert. The Boards serve as a link between northern communities and local RCMP detachments.

COALITION OF CITIES AGAINST RACISM

The Chief Commissioner established a working relationship with the Canadian Commission for UNESCO regarding UNESCO's initiative, the International Coalition of Cities Against Racism. The initiative was launched by UNESCO in 2004 to establish a global network of cities interested in sharing experiences in order to improve their policies to fight racism, discrimination and xenophobia. The objective of UNESCO is to involve cities in a "common struggle against racism through an international coalition."

"In a little while it will be over. We may fail. But the rights for which we contend will not die."

Louis Riel
May 5, 1885, Batoche, N.W.T.

In February 2005, the Chief Commissioner wrote to the Mayor of the City of Saskatoon and members of City Council encouraging the City to join the Coalition. By joining the coalition, cities and municipalities undertake to integrate an action plan to fight racism into their municipal strategies and policies and to involve civil society in its implementation. The Saskatchewan Human Rights Commission has a mandated role to prevent and combat racism and discrimination. The coalition provides the opportunity to strengthen the work that is already occurring in Saskatoon, through its Cultural Diversity and Race Relations Coordinator, by linking it with the work of others across the country.

The Commission expects further development of the initiative across Canada during the next year.

SASKATOON ANNE FRANK COMMITTEE

The Chief Commissioner and staff of the Commission have been actively involved in the Saskatoon Anne Frank Committee. The Committee is comprised of more than 30 government, education, religious, cultural and arts organizations involved in bringing the "Anne Frank in the World 1929-1945" exhibit to Saskatoon during the summer of 2005.

Current Issues and Highlights

The story of Anne Frank's life is particularly important to the Commission because it clearly demonstrates the tragic and harmful effects of intolerance, hatred and racism. And, it is a painful reminder of what can ultimately happen when human rights are not guaranteed and vigorously protected.

While the exhibit reflects a particular point in history, the Commission understands that racism and other forms of discrimination are still serious problems. It is the Commission's hope that the exhibit will help to bridge the deep divisions that have developed within our community.

CANADIAN ASSOCIATION OF STATUTORY HUMAN RIGHTS AGENCIES (CASHRA)

The Chief Commissioner continued to serve as President of CASHRA, the forum for federal, provincial and territorial human rights agencies responsible for the administration and enforcement of anti-discrimination laws within their respective jurisdictions. This year, the Chief Commissioner was instrumental in arranging for members of CASHRA to meet with the President of Rights and Democracy, Jean-Louis Roy, along with Ms. Godelieve Mukasarasi, a Rwandan human rights activist and recipient of the 2004 John Humphrey Freedom Award.

The Saskatchewan Human Rights Commission will host the CASHRA Conference 2005. The theme of the conference is "Freedom Justice Peace: Human Rights in a Changing World." The Commissioners and staff have been developing the program and planning the conference, which will take place in Saskatoon in June.

"We have taught the world that 'woman power' is about the cheapest power on earth. We never put a value on the labour which goes into this or that task."

Violet McNaughton, (1879-1968)
Women's Editor, Western Producer

Resolving Complaints

In 2004-2005, the Commission received 3,664 inquiries and opened 411 complaint files.

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MEDIATIONS AND INVESTIGATIONS

The Commission continues to face challenges with respect to managing complaint files in a timely way. This year, the Commission made the difficult decision to re-allocate resources from our equity and public education programs to complaint resolution in an effort to address caseload pressures within the Investigations unit. The results of that decision will likely not be apparent until well into the next fiscal year.

COMPLAINT TRENDS

There was a substantial increase in complaint files opened this year as the result of the Commission receiving more than 200 pay equity complaints. While the Commission does not have the legislative authority to resolve many of the pay equity complaints that were filed, it continues to support the principle of equal pay for work of equal value.

This year, the Commission accepted complaints from older workers seeking to challenge mandatory retirement policies in their workplaces, in spite of the restrictive definition of "age" in the *Code*. The Commission has accepted five such complaints of age discrimination based on mandatory retirement and expects the trend will continue.

The national debate over same-sex marriage has had an impact on the work of the Commission, following a decision by a Saskatchewan Court affirming the right of same-sex couples to marry. The Commission has received complaints against marriage commissioners who have refused to perform same-sex marriages and complaints from marriage commissioners seeking accommodation of their religious beliefs. At the conclusion of the reporting year, the Commission was assessing those complaints.

Grounds of discrimination, 2004-2005

A	mental or physical disability	43.8%
B	sex	12.7%
C	ancestry	14.2%
D	age	5.0%
E	religion	5.9%
F	marital status	2.5%
G	family status	5.0%
H	sexual orientation	2.5%
I	receipt of public assistance	4%
J	other	2.5%

Resolving Complaints

The majority of this year's complaints continued to be from persons with disabilities, many of whom are seeking reasonable accommodation in the workplace.

Of growing concern are complaints from people with mental or intellectual disabilities who face many attitudinal and structural barriers to equality. Mental disability is a comparatively recent addition to human rights legislation, but complaints based on this prohibited ground have increased in number and complexity in recent years. Challenges for the Commission include ways of addressing such complainants sensitively and effectively, while striving to identify and ameliorate their root causes.

The duty of accommodation is one of the most challenging issues faced by those with a responsibility to enforce or comply with human rights legislation. Issues include accessing medical information, the use of experts, rights to privacy, performance management and the concept of accommodation as a multi-party, ongoing process.

Discrimination based on gender remains a concern for the Commission, particularly in relation to sexual harassment and pregnancy. This year, a complaint of gender discrimination in sports was referred to the Saskatchewan Human Rights Tribunal for hearing.

Racism remains persistent. It is the Commission's view, however, that the number of complaints it receives does not reflect the much higher incidence of racism within the community. While continuing to address complaints of racism through its complaint resolution process, the Commission has also undertaken initiatives in partnership with other governmental, educational and community organizations to address racism in a broad, systemic way.

"When my neighbour's rights are destroyed my own rights are threatened, and the only way to guarantee preservation of one's own rights is to insist on protection for the rights of others."

Attorney-General J.W. Corman

Mediations and Investigations Unit goals for 2004-2005

- Eliminate the backlog of investigation files;
- Provide advanced training to Investigations staff to address increasingly complex complaints;
- Reduce investigation time to under 12 months.

Settlements

During 2004-2005, the Commission continued its commitment to resolving complaints through mediation and settlement at all stages of the complaint process. Mediation is being used as a flexible strategy, largely controlled by the parties. Mediation can be faster, less costly and less adversarial than investigation and adjudication. The following is a sample of settlements reached this year.

ANCESTRY

A First Nations woman working as an educator at a Métis organization became aware that members of the executive were unhappy with the way she presented herself as a First Nations person. She alleged that at one particular meeting they were antagonistic towards her and ridiculed her spiritual healing suggestions. After the meeting, her workshops were canceled and members of the executive told her she was fired. Although they did not have the authority to terminate her, she eventually left the job because she felt she was being discriminated against because of her ancestry and religion, and that her employer had poisoned the work environment. In settling the complaint, the respondents agreed to pay the complainant $2,000 as compensation for injury to feelings.

PREGNANCY

The Commission received complaints from three women who had been working under term contracts when they became pregnant. Because their contracts expired while they were on maternity leave, the women lost benefits they would have accrued had they instead been in permanent positions. They also suffered a loss of potential earnings because they were unavailable to bid on new term positions. Due to the employer's hiring policy, many employees had worked continuously for years as term employees. In settling the complaints, each woman received maternity top-up benefits and accepted general damages in the range of $1,600. In addition, one woman regained seniority she had lost while on maternity leave. The employer agreed to change the staffing policy so that staffing is done through permanent positions, which should eliminate the grounds for future complaints. The respondent also agreed to post an anti-discrimination policy in the workplace.

FAMILY STATUS

An employee requested paternity leave for the imminent birth of his child but was denied leave due to a heavy workload. He took two days off anyway. When he returned to work he was told he'd been laid off due to a work shortage. His employer also indicated that he wouldn't be called back because his father worked for the same organization and they didn't want family

Settlements

members working together. The complainant filed a complaint saying he'd been discriminated against because of his relationship to his father. In settling, the respondent agreed to pay the complainant $9,000 and to post an anti-discrimination poster on their premises.

SEX

A full-time female guidance counselor at a high school was informed her position was being reduced to half-time in order to hire a male counselor, thereby ensuring a male presence in the student services area. She was then offered a half-time teaching position to fulfill her full-time contract. Not interested in returning to teaching, the complainant offered to work only the half-time counseling position but this was not acceptable to the school's principal. The employee then filed her complaint on the basis that she had been discriminated against based on her sex. She believed her job could be done by either a male or female and that there was no need to deny her the continuation of her job. In settling the complaint, the respondent agreed to pay the complainant $22,100 as compensation: $10,000 for any injury to feelings and loss of self-respect, and $12,500 for mental anguish. She also received a letter of apology for any suffering which resulted from the situation.

"Mr. Speaker, in looking back over the history of this province, I think it can be said that Saskatchewan has been a pioneer in the field of human rights legislation."

Attorney General R. Romanow, in 2nd reading of An Act to Establish the Saskatchewan Human Rights Commission, March 3, 1972

DISABILITY

After an employee sustained a workplace back injury, he made several efforts to work with his employer to receive workplace accommodation for the disability. The employer allegedly did not consider the accommodation proposals but instead suggested that the employee simply stop performing any part of his job that would contravene his physical limitations. When this was not viable, the complainant's disability symptoms worsened and on doctor's orders he took short-term disability leave. Any other disability support was denied. The complainant was forced into early retirement, which meant he lost wages, benefits and pension. In filing a complaint, the complainant cited discrimination based on his employer's unwillingness to accommodate his disability. As settlement, the respondent agreed to pay the complainant a retiring allowance of $54,500 and a lump sum payment of $57,500.

One month after a woman began a new clerical position at a fitness centre, she had an asthma attack that hospitalized her. When she called to let her employer know her return-to-work date, she was informed that she'd been terminated. It was thought that her continued employment would be detrimental to her health. Her employer based this decision on the complainant revealing limitations in

her ability to perform certain duties after she was hired for the position. The complainant felt the company did not try to accommodate her disability. In settling the complaint, the respondent agreed to pay the complainant $2,500 for injury to self-respect. The respondent also provided a letter of apology to the complainant and provided her with a one-year membership to the facilities. The respondent agreed to provide training to its staff on discrimination and the duty to accommodate, and to post a workplace employment accommodation notice on its premises.

An inmate at a correctional centre had chronic pain and was addicted to the drugs which gave him relief. Upon incarceration, the complainant asked for reasonable accommodation of his disability (his addiction) but claimed his requests for medical appointments were then delayed and he was denied his regular medication. He requested admittance to the methadone treatment program but was denied access because he was not in the program before he was incarcerated. The complainant then filed his complaint saying the correctional centre had failed to accommodate his disability. In agreeing to settle the complaint, the respondent agreed to pay the complainant $3,000 as compensation for loss or damage. The respondent also adopted a new policy for methadone treatment for inmates.

SEXUAL HARASSMENT

When a woman was sexually harassed by her immediate supervisor, an ensuing internal investigation upheld her complaint and the harasser was disciplined. From that point on, however, the woman felt ostracized by her co-workers. She was later forced to work with the harasser again despite assurances this would not occur. When she complained to her superiors and nothing was done, she felt victimized again. She then left her job as she felt she could no longer work in a non-supportive environment. Her complaint to the Commission alleged that her employer had neglected to support her after the sexual harassment. In settling, the complainant agreed to accept $5,000 for injury to feelings and a letter of apology from the employer. The employer also agreed to put a copy of the internal investigation report surrounding the sexual harassment on the harasser's personnel file.

Tribunal and Court Decisions

TRIBUNAL DECISIONS

The Tribunal dismissed the complaint of Deborah Ann Parker against Wiegers Financial & Insurance Planning Services Ltd. alleging that she was discriminated against on the basis of her sex (pregnancy). The complainant alleged that she was terminated from her position a short time after she announced her pregnancy. The respondent took the position that Ms. Parker was terminated for a cause unrelated to the pregnancy and that the decision had been made prior to her announcement. The Tribunal found that there was sufficient evidence to establish the respondent's assertion concerning the timing of the dismissal of Ms. Parker and accordingly dismissed the complaint.

Carolyn Ann Hazelwood alleged that Leask Agro Services Ltd. discriminated against her on the basis of pregnancy when she was terminated half-way through her maternity leave. According to the respondent, Ms. Hazelwood and other staff members were terminated due to consolidation of products and the change of location and transportation of products. This was not explained to the complainant, however, and she was given no notice. Although Ms. Hazelwood's replacement during her maternity leave was also terminated, he was immediately rehired to undertake mostly the same duties. The Tribunal found that Ms. Hazelwood was discriminated against as the effect of the termination was inequitable. Had Ms. Hazelwood not been on maternity leave, she would have been in line for the new position. The Tribunal ordered the respondent to pay the complainant $2,000 for injury to feelings, $6,546 as lost wages plus interest, and $1,320 for loss of opportunity.

"During the first years of operation, the Commission received 305 formal complaints, 433 informal complaints and 9,601 miscellaneous inquiries...a great deal of public interest has been aroused in our work."

Judge Tillie Taylor, Chairperson, Saskatchewan Human Rights Commission, 1979

Ms. Carlson was employed by the Saskatoon Public Library Board until she was required to retire at age 65 due to the provisions of the collective agreement between the Board and her union, CUPE Local 2669. Ms. Carlson filed her complaint believing that retirement violated her rights to employment without discrimination because of age, contrary to sections 16 and 18 of *The Saskatchewan Human Rights Code*. At present, the definition of age in the *Code* is "any age of 18 years or more but less than 65 years" and therefore only protects from discrimination on the basis of age those who are younger than 65 years. This definition, however, may be contrary to section 15 of the *Charter of Rights and Freedoms* which guarantees the equal benefit of the law. The Chief

Commissioner requested that a Tribunal hear the complaint and make a legal determination of whether the definition of age in the *Code* is inconsistent with Section 15 of the *Charter*. A Tribunal was appointed and rendered a decision that the Tribunal does have the jurisdiction to determine whether the *Code* violates the *Charter*. The hearing into this issue is scheduled for October 2005.

COURT DECISIONS

Mr. Kivela has cerebral palsy which prevents him from doing any work other than truck driving. Because he could not work extended hours that required physical exertion, he fell behind in the seniority list. The seniority provisions of his collective agreement facilitated promotions to permanent positions for those who were flexible and could work at any job. The unintended effect on Mr. Kivela was that he could not gain permanent status without special accommodation. This meant that when he became unable to work, in 1998, he was still a casual employee without a disability plan. Had he been a permanent employee, he would have accessed disability benefits and would have had the right to return to a permanent position. The Tribunal ruled in favour of Gary Kivela who complained that CUPE and the City of Regina discriminated against him from July 1982 to November 1998 on the basis of his disability.

The Tribunal ordered that Mr. Kivela be reinstated and appointed to the first vacant permanent position as truck driver. Until that vacancy arose, he was to receive compensation for monthly wage loss, plus interest and income tax gross-up from January 1, 1999. The union was held equally responsible with the employer for the wage loss because the seniority system was part of the collective agreement. The Tribunal awarded Mr. Kivela $10,000, the maximum allowable under the *Code*, for injured feelings and loss of dignity. The City was made responsible for 60 per cent of that award, and CUPE was made responsible for 40 per cent. The City of Regina and CUPE then appealed this decision to the Court of Queen's Bench.

The Court upheld the Tribunal decision but the respondents have now appealed to the Court of Appeal.

Norman Lloyd Browning filed a complaint with the Saskatchewan Human Rights Commission alleging that certain articles of the compulsory Disability Income Plan, operated by the Government of Saskatchewan, discriminated against him on the basis of disability, an addiction to alcohol. Article III(6)(e) of the Disability

Tribunal and Court Decisions

Income Plan excluded coverage for a disability that is caused or contributed to by chronic alcoholism unless that person is receiving active treatment for rehabilitation under the supervision of a physician and with the approval of the employer. A Board of Inquiry found that the particular article does discriminate on the basis of a disability of chronic alcoholism, which the government then appealed. The Court of Queen's Bench found the disability plan to be discriminatory. On appeal by the government, the Court of Appeal also found Article III(6)(e) to be discriminatory and the appeal was denied. Note that this decision did not prevent the plan from requiring that the disabled alcoholic seek treatment like all other plan recipients. However, persons disabled by alcohol addiction were entitled to the same coverage as others.

Nancy Graham alleged that Country Leathers Manufacturing Ltd. and Phil Marzo terminated her as a leather cutter after tendonitis in her shoulder negatively affected her ability to do her job. A Board of Inquiry found the employer discriminated against Ms. Graham because of disability as it failed to evaluate whether or not her disability could be accommodated. Ms. Graham was awarded $2,911 as compensation for lost wages, including $548 for pre-judgment interest. Ms. Graham was also awarded compensation of $3,500 for injury to feelings and self-respect.

This Board of Inquiry decision was then appealed to the Court of Queen's Bench which upheld the decision in all respects except for reducing the award of $3,500 for injury to feelings and self-respect to $750. The Court noted it was unclear what standard had been used by the Board and held that, since there had been no direct or indirect assault on the complainant's self-worth, the award was disproportionate to the error in the employer's conduct.

The Commission appealed this decision to the Court of Appeal which set aside the Queen's Bench decision and restored the Board of Inquiry award in its entirety. The Court held that the Queen's Bench judge considered the wrong factors in reducing the award for injury to feelings to $750. The Queen's Bench judge looked at the intention of the employer when the real determining factor was the impact on the victim of discrimination.

"In Bill 38 the protection of the *Code* is being extended to persons who may be discriminated against on the basis of sexual orientation, family status and receipt of public assistance...there remains a minority who, out of fear or intolerance or simple misunderstanding, actively discriminate against persons with these characteristics."

Attorney-General R. Mitchell
in 2nd reading of The Saskatchewan Human Rights Code Amendment Act, 1993

"...the charter was defining a system of values such as liberty, equaiity and the rights of association that Canadians from coast to coast could share."

Pierre Elliott Trudeau

Community and Educational Outreach

In 2004-2005, the Commission provided 32 seminars and presentations, and participated in 50 community outreach or partnership events.

The vision of *The Saskatchewan Human Rights Code* is one of a harmonious society, which protects the equal rights and dignity of all its members while strengthening the fabric of the community as a whole. In keeping with this vision, one of the Commission's most pressing priorities has been to support a culture of inclusion where everyone has a sense of belonging, where all groups can succeed, and to which all persons can contribute.

CHALLENGES IN 2004-2005

Following the 2004-2005 provincial budget, the Commission realized it was necessary to allocate more resources to its Mediations and Investigations Unit to address workload pressures in that unit. This decision resulted in a reduction of Public and Special Programs staff and limited that unit's ability to deliver public education. This was somewhat offset by the Commissioners taking a larger role in representing the Commission at a number of meetings, conferences and other events across the province.

In Chambers v. Saskatchewan Social Services (1988) the Court of Appeal ruled it was discriminatory for the Department of Social Services to pay less social assistance to a single person than to a person who was married. The case establishes that government services offered to the public come within the *Code*.

The reduction in resources also resulted in the Commission receiving more requests for human rights information sessions than it could accommodate. These requests come from employers, trade unions, educational institutions, health care providers, community organizations and others.

It was decided the unit should focus on strategic partnerships which would provide different opportunities to further the educational mandate of the Commission.

A list of community and educational outreach activities can be found at Appendix A.

NORTHERN AND ABORIGINAL INITIATIVES

The provincial motto, "from many peoples, strength," expresses a respect for diversity and appreciation for Saskatchewan's long history of cooperative endeavour. This message remains timely and points toward a major provincial challenge — a growing uneasiness about how we will live together in the future as individuals and groups. Reports of the Stonechild inquiry and the Commission on First Nations and Métis Peoples and Justice Reform have exposed deep divisions caused by Saskatchewan's failure to deal with the impact of racism, poverty and other inequities.

"...the charter was defining a system of values such as liberty, equality and the rights of association that Canadians from coast to coast could share."

Pierre Elliott Trudeau

Community and Educational Outreach

In 2004-2005, the Commission provided 32 seminars and presentations, and participated in 50 community outreach or partnership events.

Community and Educational Outreach

To date, cultural barriers and geographic distances have made it difficult to deliver adequate human rights services to the province's Aboriginal people. This was made clear to the Chief Commissioner after trips to the north confirmed that northern residents often lack sufficient information to prevent or obtain redress for discrimination.

Given these challenges, the Commission focused on improving services to Aboriginal and northern communities. Staff members gave priority to presentations to northern and Aboriginal audiences and Commission representation at northern and Aboriginal events. The Commission also reached a northern audience through the *La Ronge Northerner*, a weekly newspaper. Chief Commissioner Donna Scott's message was published to coincide with December 10th, International Human Rights Day, and an ad was placed to commemorate March 21st, the International Day for the Elimination of Racial Discrimination.

Improving services to northern and Aboriginal audiences was undertaken at a program level through the two partnerships described below.

THE ACCESSING HUMAN RIGHTS PROJECT

The Accessing Human Rights project is a partnership with the Aboriginal Friendship Centres of Saskatchewan (AFCS). Its goal is to provide human rights education to staff, board members and clients of the 18 friendship centres that provide front-line services to Aboriginal people throughout Saskatchewan.

The AFCS suggested this project in 2001, during its collaboration with the Commission on development of the *Rights Path* booklet. The AFCS confirmed the need for human rights awareness in the Aboriginal community in the needs assessment survey which it conducted in the summer of 2003. The survey indicated that some 93% of AFCS staff and board members, and 89% of their clients, supported a project to increase awareness and knowledge of human rights among Aboriginal people in Saskatchewan.

The project's terms of reference outlined two phases, including a pilot phase in 2004-2005 with three friendship centres (one urban, one rural, one northern) with two components: (a) a general educational component for staff, board members and clients, and (b) a technical training component for designated staff members of the friendship centres on screening, referrals, early mediation and early complaint processing. Participants in the technical training provided useful feedback to the Commission and further confirmed the need for more human rights awareness training, including educational sessions for the business community and law enforcement members.

Community and Educational Outreach

The Commission will take a six-month period to develop and assess working relationships regarding complaints with the three centres represented at the technical training, as well as to assess ways in which the general educational component can be made more culturally sensitive and relevant to an Aboriginal audience. By the end of the summer 2005, the Commission should be in a position to assess whether and how phase two will proceed.

POLICE SERVICES IN NORTHERN COMMUNITIES

Under the 1989 Framework Agreement for Community Policing Initiatives, the RCMP and Saskatchewan Justice, in partnership with the northern advocacy group New North, agreed to provide training for board members of the local community police boards in northern Saskatchewan. During 2004-2005, the Saskatchewan Human Rights Commission participated in the initiative by providing human rights awareness training in the communities of Stony Rapids, La Ronge, La Loche and Prince Albert.

This endeavour was another important opportunity for the Commission to deliver human rights services to residents of northern Saskatchewan. The training ultimately familiarized community police boards and the RCMP with the provisions of *The Saskatchewan Human Rights Code*. Understanding what is protected by the Code will assist RCMP officers and members of local community police boards in dealing with the wide range of concerns and issues they face in their communities.

MEDIA RELATIONS

The Commission continued to participate in special display advertising opportunities with the Saskatoon *StarPhoenix* and *Regina Leader-Post* to increase awareness and enhance the profile of human rights issues. The Commission contributed to a special section on December 3rd, International Day of Disabled Persons, and in support of March 21st, International Day for the Elimination of Racial Discrimination.

Goals for 2005-2006

- Re-organize and upgrade the Commission Web site;
- Update publications;
- Continue development of the Accessing Human Rights project;
- Develop community capacity to provide human rights education.

"...every person is free and equal in dignity and rights..."

The Saskatchewan Human Rights Code, 1979

Equity within Learning Institutions and the Workplace

In 2004-2005, over 42,500 Saskatchewan employees benefited from employment equity plans.

Saskatchewan's future success will turn on the ability of all groups to participate fully in the social and economic life of the community. Broad, proactive equity initiatives are necessary to address systemic disadvantage and create a provincial culture of equality, inclusion and mutual respect.

Section 47 of *The Saskatchewan Human Rights Code* gives the Saskatchewan Human Rights Commission the authority to approve and monitor special programs to counter disadvantage and to pursue equality goals. Existing and new equity initiatives will continue to play an important role in achieving this goal.

To date, the Commission has approved equity programs for the following four groups which have traditionally been denied equality of opportunity and benefit in important areas of public life: Aboriginal people, people with disabilities, visible minorities, and women.

"There is no question but that the mentally ill in our society have suffered from historical disadvantage, have been negatively stereotyped and are generally subject to social prejudice."

Battlefords and District Co-operative Ltd. v. Gibbs [1996]

CHALLENGES IN 2004-2005

Circumstances over the past few years, including limited resources and budget reductions, have increasingly diminished the Commission's ability to develop, approve and monitor equity programs or to provide services to its employment and educational partners in a meaningful and supportive manner. For this reason, the Commission decided in the spring of 2004 that it could no longer continue to monitor or approve equity programs.

However, the Commission made an exception in the case of **Information Services Corporation of Saskatchewan**, which had already laid the groundwork for an equity plan, and approved its initiative in November 2004. Information Services Corporation of Saskatchewan was established as a commercial Crown corporation on January 1, 2000 with a mandate to deliver a one-stop source for land titles, provincial surveys, mapping, Geographic Information Systems and the Personal Property Registry. It employs approximately 534 people.

During the year, the Commission continued to encourage and support proactive initiatives by employers, educators and others. This included extending approval for existing programs to March 31, 2005. Equity partners also continued to rely upon the guidelines and resources developed by the Commission, including self-identification questionnaires and educational resources.

A list of equity sponsors can be found at Appendix B.

"...every person is free and equal in dignity and rights..."

The Saskatchewan Human Rights Code, 1979

Equity within Learning Institutions and the Workplace

In 2004-2005, over 42,500 Saskatchewan employees benefited from employment equity plans.

"There is no question but that the mentally ill in our society have suffered from historical disadvantage, have been negatively stereotyped and are generally subject to social prejudice."

Ross Case and Peter Cummins, 113 v. Swan, 1995

Equity within Learning Institutions and the Workplace

EDUCATION EQUITY

The education equity program of the Saskatchewan Human Rights Commission is designed to counteract systemic discrimination and to provide educational opportunities that meet the diverse needs of all Saskatchewan students. The Commission's work in education equity has helped to create learning environments which ensure that all students receive maximum benefit and opportunity from the K-12 system. At the end of 2002-2003, the last year in which equity statistics were collected, 17 kindergarten to grade 12 school divisions, representing close to 80,000 students, and 10 post-secondary institutions had approved equity plans.

EMPLOYMENT EQUITY

Over the past 25 years, the Commission has developed voluntary employment equity programs fitted to the Saskatchewan context. The long-term goal of employment equity has been to build a representative workforce that mirrors the province's working age population, at all levels and in all occupational categories. To date, it has approved the equity plans of 38 employers, including the Government of Saskatchewan. These plans cover over 42,500 employees.

EXEMPTIONS

The Commission continues to grant exemptions from the *Code* to promote principles of equality, to complement an existing equity program, or in situations where an exemption is considered "necessary and advisable." In 2004-2005, there were 10 new exemptions granted, bringing the number of active exemptions to 202.

The following examples reflect the kind of exemptions granted this year.

- An Order was granted allowing Native Coordinating Council Family Services to hire only females for the position of Youth Worker at Sundance Haven, a home for young girls age 12 - 17.

Equity within Learning Institutions and the Workplace

- An exemption was granted to the YWCA Regina exempting it from the provisions of Section 16 (employment) and Section 19 (advertising) of the *Code* to the extent that preference can be given to a woman of Aboriginal ancestry when recruiting for and hiring a First Nations Cultural Awareness Program Coordinator.

- An exemption was granted allowing the Saskatchewan Indian Cultural Centre to give preference to First Nations persons when recruiting and hiring staff.

- An exemption was granted to the Canadian Federation of University Women/Saskatoon, allowing it to give preference on the basis of gender, age and family status in the awarding of scholarships at the University of Saskatchewan.

Goals for 2005-2006

- Continue to encourage and support proactive initiatives by employers, educators and others;
- Enhance the Equity Web sub-site and other resources.

Commissioners

From left to right: Viviane Janvier, Judy White, John Hill, Mike Bacon, Donna Scott

A Chief Commissioner and four part-time Human Rights Commissioners set policy, liaise with community partners and organizations, give human rights presentations, and make programming decisions. The Commissioners are appointed to the SHRC by the Lieutenant Governor in Council and represent different sectors of the community. They bring expertise to the Commission on issues pertaining to its mandate. Commissioners are appointed for a term of five years and may be re-appointed for another term.

Donna Scott, Q.C., Chief Commissioner

Donna Scott was appointed as Chief Commissioner in October 1996, was re-appointed for a five year term in November 1997 and re-appointed for a further five year term in July 2002. Ms. Scott received her B.A. and LL.B from the University of Saskatchewan and was called to the Saskatchewan Bar in 1982. She engaged in the private practice of law until becoming a Crown Solicitor with Saskatchewan Justice in 1986 and then Local Registrar for the Unified Family Court. She has served as president of the Public Legal Education Association (PLEA) and on the board of directors of the Elizabeth Fry Society. She currently serves as chair of the International Development Committee, Canadian Bar Association (Saskatchewan branch). She is president of the Canadian Association of Statutory Human Rights Agencies (CASHRA), a position she has held since 2003, and is CASHRA's representative on the International Association of Official Human Rights Agencies (IAOHRA). Ms. Scott is recipient of the Queen's Jubilee Medal and the Saskatchewan Centennial Medal for her contribution to the community. She was honoured in 2003 with the Queen's Counsel designation.

John Hill, Deputy Chief Commissioner

John Hill is a member of the Oneida Nation of the Thames near Southwold, Ontario. He received his LL.B. from the University of Saskatchewan and was called to the Bar in Saskatchewan in 1997. Mr. Hill has served as a senior advisor to the Saskatchewan Indian and Métis Affairs Secretariat on inter-jurisdictional and Aboriginal affairs, and assisted in the development of the provincial Aboriginal framework policy and the First Nations self-government policy. As well, he represented Saskatchewan as a negotiator in the tri-partite self-government negotiations with the Meadow Lake Tribal Council. Based in Regina, Mr. Hill practised law with two private firms before establishing his own practice in 2004. He is recognized as a Mediator having completed the Saskatchewan

Commissioners

justice program on mediation. He has represented a number of First Nations governments and individuals on governance, treaty rights, economic development and residential school claims. Mr. Hill is a member of the Board of Directors of the Indigenous Bar Association and the Regina Bar Association, and also served as a sessional lecturer in Aboriginal Studies at the Saskatchewan Indian Federated College.

Viviane Janvier
Viviane Janvier was born and raised in La Loche. Of Metis/Dene heritage, she is fluent in the Chipewyan language. Ms. Janvier studied journalism and social work at the University of Regina and the First Nations University of Canada. She is a certified mediator and facilitator. Ms. Janvier brings her in-depth understanding of the social issues and history of Aboriginal peoples to her work in community development and community justice initiatives. She has served as a Director for the La Loche Friendship Centre, and in 2002 was promoted to a management position with the La Loche Community Development Corporation. Ms. Janvier was elected an alderperson for the Northern Village of La Loche in October 2003. She also serves on numerous boards and committees, including the La Loche Police Management Board and the Dene Koe' Self Help Council. Ms. Janvier was appointed to the Commission in October 2003.

Mike Bacon
Mike Bacon is a partner in AccessExperts Consultants, a business concentrating on accessibility audits, awareness training and pre-employment training for persons with disabilities. Mr. Bacon, born and raised in Saskatoon, graduated from the University of Saskatchewan with a Bachelor of Arts Honours degree in psychology in 1991. He is active as President of the Saskatoon Special Interest Cooperative, a small business loans association, and as Director of the Canadian Wheelchair Sports Association. Mr. Bacon has been a member of the Canadian Wheelchair Rugby Team and became a silver medal winner at the Paralympics in Athens in September 2004. One of his favourite activities is speaking to Grade 6-12 students about brain and spinal cord injury prevention for Think First Saskatchewan, a foundation dedicated to preventing brain and spinal cord injury through education. He was appointed to the Commission in October 2003.

Judy White
Judy White is an assistant professor with the Faculty of Social Work at the University of Regina's Saskatoon campus and Counsellor with Family Service Saskatoon. Ms. White was born and raised in Trinidad. Having received a Bachelor of Arts from the University of the West Indies, Ms. White went on to receive a scholarship from the Government of France to pursue social work studies at the Institut de Travail Social et de Recherches Sociales in Montrouge, France. She also pursued studies in the administration of health and social organizations at the University of Lille II, France. Ms. White has a Bachelor of Social Work and Masters of Social Work from the University of Regina, and is currently a doctoral candidate with the University of Manitoba. She sits on the board of the Saskatoon Chapter of Immigrant Women of Saskatchewan and is a member of the Board of Governors of the Prairie Centre of Excellence for Research on Immigration and Integration. She is also involved in collaborative work with other immigrant and refugee serving organizations. Ms. White was appointed to the Commission in February 2005.

"The Saskatchewan Human Rights Commission adds its voice to the UN Committee, the Senate and CASHRA, in recommending the inclusion of social condition in human rights legislation."

Chief Commissioner Donna Scott, Saskatchewan Human Rights Commission, 2005

"The common law definition of marriage for civil purposes is declared to be 'the lawful union of two persons to the exclusion of all others' and civil marriage between two persons of the same sex...is declared to be a lawful and valid marriage in Saskatchewan."

N.W. v. Canada (Attorney General) [2004]

Commission Staff

The daily work of the Commission is carried out by its professional human rights staff. In 2004-2005, the Commission had the equivalent of 17.8 full-time employees, including individuals who worked on a full-time, part-time, casual or temporary basis.

Saskatoon
Laurie Adrian Rude - Investigator / Facilitator
Jan Cadman - Legal Secretary
Linda Charlton - Investigator / Facilitator, Education & Equity Advisor
Dianne Derkson - Reception Secretary
Kim Doering - Secretary
Norma Farkvam - Staff Lawyer, Investigator / Facilitator
Lois Henderson - Budget Coordinator
Tim Korol - Investigator / Facilitator
Marcie Landstrom - Investigator / Facilitator
Genevieve Leslie - Supervisor of Public & Special Programs
Bev MacSorley - Investigations Secretary
Kaye Munro - Reception Secretary
Chinwe Onwuekwe - Investigator / Facilitator
Gerry Parenteau - Investigator / Facilitator
Bill Ratoss - Supervisor of Mediations & Investigations
Fiji Robinson - Communications Coordinator
Brenda Rorke - Human Resources Coordinator
Karen Ross - Secretary to the Commission, Intake Consultant
Karen Topolinski - Facilitator / Investigator
Kathy Upton - Intake Consultant
Milton Woodard, Q.C. - Senior Staff Lawyer

Regina
John Abraham - Investigator / Facilitator
Heidi Chan - Secretary
Laurena Daniels - Intake Consultant
Lisa Donovan - Administrative Secretary
Loretta Gerlach - Investigator / Facilitator
Jan Temple Jones - Intake Consultant
Rebecca McLellan - Manager of Operations
Robin McMillan - Investigator / Facilitator
Heather Veresh Monus - Education & Equity Advisor *
Reggie Newkirk - Investigator / Facilitator
Fran Passmore - Investigator / Facilitator, Education & Equity Advisor
Julie Powell - Investigator / Facilitator
Mirjana Topalovic - Secretary
Pearl Ulmer - Secretary

* Currently on Leave

Appendix A

Community and Educational Outreach Activities

Where more than one presentation was delivered to an organization, that number is indicated in parenthesis.

PRESENTATIONS

Educational institutions & organizations

Career Campus, Saskatoon
Cochrane High School, Regina
Faculty of Social Work, University of Regina, Saskatoon
Education Students Society, College of Education, University of Saskatchewan, Saskatoon
Saskatoon Public School Division

Professional, business & labour organizations

Canadian Bar Association, Administrative Law Section, Saskatoon
Interprovincial Association on Native Employment, Regina (2)
Saskatchewan Government Employees Union, Saskatoon
Saskatchewan Safety Council, Regina
Service Employees International Union, Saskatoon

Employers & government

Battlefords Mental Health Unit
Public Service Commission, Saskatoon
Saskatoon Inn

Community-based organizations

Saskatoon Open Door Society
White Buffalo Youth Lodge

Conferences, public consultations & events

Anne Frank Exhibit - Fundraising Luncheons, Saskatoon (2)
Canada Labour Code Consultation, Saskatoon
City of Saskatoon, Living in Harmony Awards Presentation
International Association of Official Human Rights Agencies, Chicago
International Day for the Elimination of Racism (March 21st), Regina & Saskatoon (2)
Saskatchewan Teachers' Federation Conference, Saskatoon
Saskatchewan Visible Minority Employees Association, Regina

SHRC-AFCS Partnership

Staff provided presentations to staff and board members of Friendship Centres in Saskatoon, La Ronge and Fort Qu'Appelle, as part of phase one of the SHRC's partnership with the Aboriginal Friendship Centres of Saskatchewan.

Appendix A

Community and Educational Outreach Activities

Community Police Board Training
Staff and Commissioners made presentations to Community Police Boards in Stony Rapids, La Ronge, La Loche and Prince Albert.

COMMUNITY OUTREACH & PARTNERSHIPS

In addition to delivering presentations, staff and Commissioners were involved in 30 community outreach and partnership events that included displays, ongoing committee work, consultations, and project development. The organizations with which the Commission worked in 2004-2005 included:

Aboriginal Government Employees Network
Canadian Association of Statutory Human Rights Agencies
Canadian Commission for UNESCO
City of Saskatoon's Cultural Diversity and Race Relations Coordinator and the Cultural Diversity and Race Relations Committee
College of Law, University of Saskatchewan
Human Resources and Skills Development Canada
Law Society of Saskatchewan
March 21st Planning Committee (Saskatoon)
National Aboriginal Day Committee of Saskatoon
Office of Disability Issues of Saskatchewan Community Resources and Employment
Office of the Treaty Commissioner
Public Legal Education Association of Saskatchewan
Rights and Democracy (International Centre for Human Rights and Democratic Development)
Saskatchewan Association of Health Organizations
Saskatchewan Federation of Labour
Saskatoon Anne Frank Committee
Saskatoon District Health
Status of Women Office of Saskatchewan Labour
Work-Family Unit and Labour Standards Branch of Saskatchewan Labour

Appendix B

Equity Sponsors

Employment	Employees*	Date Approved
City of Prince Albert	302	May 1997
City of Regina	2,293	February 1987
City of Saskatoon	2,399	February 1987
Community (Saskatoon) Health Services Assn.	132	June 1990
Crown Investments Corporation	81	March 1995
Government of Saskatchewan	10,427	
Out of Scope		June 1987
Sask. Government Employees Union		November 1988
Canadian Union of Public Employees		July 1990
John Howard Society	25	June 1996
Information Services Corp. of Sask.	534	November 2000
Law Society of Saskatchewan	23	November 1999
Northlands College	147	September 1995
Parkland Regional College	77	March 2002
Prince Albert Co-operative Health Centre	138	October 1991
Regina Police Service	484	March 1992
Regina Public School Division	2,082	March 1994
Regina Women's Community Centre	6	March 1998
Saskatchewan Communications Network	26	February 1996
Saskatchewan Crop Insurance Corporation	479	May 1997
Saskatchewan Gaming Corporation	792	January 1995
Saskatchewan Government Insurance	1,613	February 1984
Saskatchewan Human Rights Commission	34	January 1980
Saskatchewan Institute of Applied Science & Technology (SIAST)	1,813	March 2001
Saskatchewan Legal Aid Commission	143	March 1991
Saskatchewan Liquor and Gaming Authority	1,989	January 1995
Saskatchewan Property Management Corp.	1,021	February 1995
Saskatchewan Research Council	255	December 1992
Saskatchewan Teachers' Federation	95	January 1991
Saskatchewan Transportation Company	233	August 1994
Saskatchewan Water Corporation	75	August 1994
Saskatchewan Watershed Authority	179	August 1994
Saskatoon Police Service	366	October 2002
SaskEnergy	963	March 1994
SaskPower	2,736	August 1995
SaskTel	4,315	October 1985
The Co-operators	361	August 1985
The Research Parks	74	November 1996
University of Regina	1,187	October 1997
University of Saskatchewan	3,862	September 1992
Weyerhaeuser Saskatchewan	1,658	March 1999

* These figures were current at the end of 2002-2003, the last year in which the SHRC collected equity statistics.

Appendix B

Equity Sponsors

Kindergarten to Grade 12 School Divisions	Date Approved
Battlefords	*
Biggar	December 1987
Broadview	November 1988
Cupar	January 1988
Indian Head	June 1987
Land-West	*
North West Catholic	*
Northern Lakes	August 1987
Northern Lights	September 1988
Prince Albert Catholic	February 1989
Regina Catholic	October 1987
Saskatchewan Rivers	June 2002
Saskatoon Catholic	May 1987
Saskatoon Public	August 1987
Scenic Valley	February 1988
Sunrise	June 1998
Wadena	May 1988

* These divisions resulted from a merger of several school divisions, including some that had approved education equity plans.

Post-Secondary Educational Institutions	Date Approved
College of Arts and Science, University of Saskatchewan	February 1988
College of Dentistry, University of Saskatchewan	April 1995
College of Medicine, University of Saskatchewan	January 1993
College of Nursing, University of Saskatchewan	January 1991
College of Pharmacy and Nutrition, University of Saskatchewan	August 1994
Gabriel Dumont Institute (GDI) and Saskatchewan Urban Teacher Education Program (SUNTEP)	August 1980
Northern Teacher Education Program (NORTEP) and Northern Professional Access Program (NORPAC)	September 1981
Saskatchewan Institute of Applied Science and Technology (SIAST)	May 1990
School of Physical Therapy, University of Saskatchewan	September 1996
Western College of Veterinary Medicine	September 1997

Tables

1. SUMMARY OF COMPLAINTS RECEIVED APRIL 1, 2004 TO MARCH 31, 2005 BY GROUND AND CATEGORY

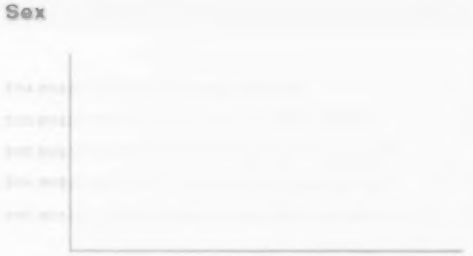
Total number of complaint files: 202 (not including pay equity)

Category	Age	Ancestry, colour, race	Creed (religion)	Disability	Family status	Marital status	Pregnancy	Record of offences	Sex	Sexual harassment	Sexual orientation	Total grounds	Percentage by ground
Education													
Employment													
Goods, services and facilities													
Housing													
Membership													
Public notice													
Vocational association													
Total grounds													
Total complaints													

NOTE:

1. Some complaints allege more than one ground of discrimination and may be counted more than once in this table.
2. Percentages may not add to 100 due to rounding.

2. FIVE-YEAR TRENDS: PERCENTAGE OF ALL GROUNDS OF DISCRIMINATION (2000-2005)



Tables

3. FILES OPENED AND CLOSED

4. PROCESSING OF COMPLAINTS

5. DISPOSITION OF COMPLAINT FILES

6. LEGAL ACTIVITIES

7. FINANCIAL EXPENDITURES

In 2004-2005, the Commission operated with an approved budget of $1.306 million and a staff of 17.8 full-time equivalents (FTEs).

	2000-2001	2001-2002	2002-2003	2003-2004	2004-2005
FTEs	20.3	20.3	17.6	17.8	17.8
Salaries, benefits and formation	$929,000	$1,079,000	$1,046,000	$1,093,000	$1,112,000
Operating expenses	$147,000	$147,000	$147,000	$157,000	$194,000
Total	**$1,076,000**	**$1,226,000**	**$1,193,000**	**$1,250,000**	**$1,306,000**

COMMISSION OFFICES

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Fax: 306-787-0454
Telewriter: 306-787-8550
Toll Free: 1-800-667-8577 (Sask. only)

E-mail: shrc@shrc.gov.sk.ca

Web site: www.gov.sk.ca/shrc

QUOTES

The quotes throughout this document reflect the history of human rights in our province. Many voices have spoken over the years to help further the rights of all people. Their words inspire us to continue lending our voices to the fight for freedom and equality for all.

Page 4: A description of how long the treaties with First Nations were intended to last from the *Report of the Royal Commission on Aboriginal Peoples*, 1996, Volume 1, page 129.

Page 11: Attorney-General J.W. Corman, on 2nd reading of *The Saskatchewan Bill of Rights Act*, March 19, 1947.

Page 13: Attorney-General R. Romanow, on 2nd reading of *An Act to Establish the Saskatchewan Human Rights Commission*, *Hansard*, March 9, 1972.

Page 15: Judge Tillie Taylor, Chairperson, SHRC, *Report and Summary of Activities*, 1972-1975.

Page 17: Attorney-General R. Mitchell, on 2nd reading of *The Saskatchewan Human Rights Code Amendment Act*, *Hansard*, April 29, 1993.

Page 18: *Memoirs*, P.E. Trudeau, Toronto: McClelland & Stewart, 1993.

Page 19: *Saskatchewan (Human Rights Commission) v. Saskatchewan (Dept. of Social Services)* (1988), 9 C.H.R.R. D/5161 (Sask. C.A.).

Page 22: *The Saskatchewan Human Rights Code*, 1979, c.S-24.1, s.3.

Page 23: *Battlefords and District Co-operative Ltd. v. Gibbs* [1996] 3 S.C.R. 566 decided it is discrimination to differentiate between physical and mental disability in employees' disability benefits programs.

Page 27: *1999-2000 Annual Report*, Message of Chief Commissioner Donna Scott, Saskatchewan Human Rights Commission.

Page 28: *N.W. v. Canada (Attorney General)* [2004] S.J. No. 669, 2004 SKQB 434, Q.B.F.L.D. No. 272 of 2004 J.C.S. (Wilson, J.).

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Mission Statement and Goals

We promote and protect the individual dignity, fundamental freedoms and equal rights of all members of the human family.

The Commission's goals, derived from *The Saskatchewan Human Rights Code*, are to:

- discourage and eliminate discrimination;
- investigate and resolve discrimination complaints quickly and effectively;
- support and seek remedies for individuals and groups who suffer discrimination;
- promote, approve and monitor employment and education equity programs;
- promote research and education strategies to advance the principles of equality and diversity, and to encourage understanding of human rights issues;
- promote leadership on human rights related public policy development and implementation; and
- promote advances in human rights legislation and protection.

RESPECTEQUALITY

COURAGEPEACE

DIGNITY